

Exhibit F

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JEAN LIN,

Plaintiff,

-against- 07-CV-3218

(Judge Holwell)

METROPOLITAN LIFE INSURANCE COMPANY,

Defendant.

-----X

DATE: January 2, 2008

TIME: 11:25 a.m.

DEPOSITION of the Plaintiff, JEAN
LIN, taken by the Defendant, pursuant to
a Court Order, held at the offices of
Trief & Olk, 150 East 58th Street, New
York, NY 10155 before Chanie Berman, a
Shorthand Reporter and Notary Public of
the State of New York.

1	2	1	4
2	APPEARANCES:	2	J E A N L I N, called as a
3		3	witness, having been first duly sworn,
4	TRIEF & OLK	4	by a Notary Public of the State of New
5	Attorneys for Plaintiff	5	York, was examined and testified as
6	150 East 58th Street, 34th Floor	6	follows:
7	New York, NY 10155	7	EXAMINATION BY
8	BY: ERIC DINNOCENZO, ESQ.	8	MS. SHERER:
9		9	Q What is your name?
10	METROPOLITAN LIFE INSURANCE COMPANY	10	A Jean Lin.
11	One MetLife Plaza	11	Q What is your home address?
12	27-01 Queens Plaza North	12	A 5 Medici Aisle, Irvine, CA 92606.
13	Long Island City, NY 11101	13	MS. SHERER: Mrs. Lin, have you
14	BY: TOMASITA SHERER, ESQ., OF COUNSEL	14	had your deposition taken before?
15		15	THE WITNESS: Never.
16		16	MS. SHERER: And so, I would like
17		17	to begin by giving you some background
18		18	on how the deposition will take place --
19		19	THE WITNESS: Okay.
20		20	MS. SHERER: -- and some
21		21	deposition rules.
22		22	THE WITNESS: Uh huh.
23		23	MS. SHERER: Perhaps your attorney
24		24	already went over this with you but I am
25		25	going to go over it again to make sure

1	3	1	LIN	5
2	FEDERAL STIPULATIONS	2	everything goes smoothly; okay?	
3		3	THE WITNESS: Okay.	
4	IT IS HEREBY STIPULATED AND AGREED by	4	MS. SHERER: I am going to be	
5	and between the attorneys for the respective	5	asking you questions. You are going to	
6	parties herein, that filing and sealing be and	6	be giving me answers and sometimes you	
7	the same are hereby waived.	7	may know where I am going with a	
8		8	question.	
9	IT IS FURTHER STIPULATED AND AGREED that	9	THE WITNESS: Uh huh.	
10	all objections, except as to the form of the	10	MS. SHERER: But I would just ask	
11	question, shall be reserved to the time of the	11	that you allow me to finish my entire	
12	trial.	12	question before you answer because it's	
13		13	hard for the court reporter to take down	
14	IT IS FURTHER STIPULATED AND AGREED that	14	when we are both speaking; is that okay?	
15	the within deposition may be sworn to and signed	15	THE WITNESS: Yes, it is.	
16	before any officer authorized to administer an	16	MS. SHERER: Also, I ask that you	
17	oath, with the same force and effect as if	17	respond verbally. Nods of the head or	
18	signed and sworn to before the Court.	18	uh huhs or uh uhs are not taken down	
19	* * *	19	well by the court reporter; okay?	
20		20	THE WITNESS: Okay.	
21		21	MS. SHERER: Any time you would	
22		22	like to take a break, please just let me	
23		23	know. We can take as many breaks as you	
24		24	want.	
25		25	THE WITNESS: Okay.	

1	LIN	46	1	LIN	48
2	policy. That is it.		2	you recall Judy asking you these questions?	
3	Q How often would she call you, for		3	A 394 until 400?	
4	example?		4	Q Yes.	
5	A About twice a year.		5	A No, I don't.	
6	Q Twice a year?		6	Q You don't recall?	
7	A Yes.		7	A No.	
8	Q Other than calling you twice a		8	Q Well, when she came over --	
9	year, did you ever visit her in her office?		9	A Um,	
10	A No, never.		10	Q -- tell me about the time that she	
11	Q Did you ever go out socially with		11	came over to Uni Micro. It was just you two	
12	her?		12	doing the application. Tell me.	
13	A No.		13	A She just came and she, you know,	
14	Q Or talk to her socially?		14	she filled out the application for me and she	
15	A In my culture -- could you be more		15	asked me anything change or I say nothing	
16	specific? It's different.		16	changed and then she said okay, you know, and	
17	Q Tell me what you mean. So I guess		17	then, you know, she filled out and I just	
18	my question was, did you socialize with her,		18	signed it and then we start talking about	
19	did you become friends?		19	mother things.	
20	A Friend, yes, like friend, but not		20	Q Did she fill out the application	
21	like you know Rebecca my best friend, not		21	in front of you?	
22	friend friend but you know. Okay. I don't		22	A Yes, she did.	
23	know how to say that.		23	Q As she was filling out the	
24	Q Did you ever go out with her		24	application, was she translating into Chinese	
25	socially?		25	what the application said?	

1	LIN	47	1	LIN	49
2	A No.		2	A She actually, she was just, you	
3	Q Did you ever have a conversation		3	know, could you be more specific? What part	
4	with her about things other than life		4	of this application?	
5	insurance?		5	Q Well, I am just trying to get a	
6	A Yes, of course like kids, you		6	sense of how the application came to be	
7	know, that is all and the school.		7	filled out. Did she ask you a question and	
8	Q Fair enough. When you spoke to		8	then write it out?	
9	Judy generally, when she called you, did the		9	A No. She just filled out it at	
10	conversation take place in English or		10	once.	
11	Chinese?		11	Q She just filled out the whole	
12	A Chinese.		12	application and didn't ask you a single	
13	Q All of the time?		13	question?	
14	A Yes.		14	A She asked me to get my husband's	
15	Q Let's go back to the time when you		15	driver's license and I knew his social	
16	completed the application for this policy in		16	security number, so, yes. That is the only	
17	your office. Do you recall being asked		17	thing.	
18	generally application questions for this		18	Q Do you recall her asking questions	
19	policy?		19	about health and medical?	
20	A Could you explain more about this		20	A No, I don't.	
21	question?		21	Q You don't recall her asking you a	
22	Q I guess the first question I want		22	single question about that?	
23	to know is do you recall being asked the		23	A (No response.)	
24	questions on the application? I would direct		24	Q Do you recall her asking you about	
25	you to the pages, page 394 through 400. Do		25	tobacco or smoking history?	

1	LIN	50	1	LIN	52
2	A	No.	2	to sign?	
3	Q	Or anything about traveling; did	3	A	She just, you know, I just signed
4	she ask you any of those things?		4	it. I just sign it and bring it to my	
5	A	Before we filled out these	5	husband to sign.	
6	questions the only thing she asked if		6	MR. DINNOCENZO: Remember to	
7	anything change. I say nothing.		7	answer her question.	
8	Q	As we sit here today, you don't	8	Q	Do you remember her asking you to
9	remember her asking you a single question		9	sign it?	
10	about health?		10	A	She asked me to sign, she just
11	A	No.	11	asked me to sign it, yes.	
12	Q	The health of Mr. Lin?	12	Q	Did you read any of it?
13	A	No.	13	A	No.
14	Q	As you sit here today, you don't	14	Q	Why didn't you read any of it?
15	recall her asking you any question about		15	A	Because we trusted her.
16	whether he travelled outside of the United		16	Q	But can you read English?
17	States?		17	A	I read English, yes. Poorly.
18	A	No.	18	Q	Did you ever tell Judy that you
19	Q	As we sit here today, you don't	19	would like a copy of this application	
20	recall her asking you a question specifically		20	translated in Chinese?	
21	about his smoking history; correct?		21	A	Could you?
22	A	(No response.)	22	Q	Did you ever ask Judy --
23	Q	Do you recall her asking you a	23	A	No.
24	question about his smoking history?		24	Q	-- to give you a copy of this
25	A	No.	25	application translated in Chinese characters?	

1	LIN	51	1	LIN	53
2	Q	And you testified that all she	2	A	No, I did not.
3	asked you was if anything changed?		3	Q	I would like to draw your
4	A	Yes.	4	attention to page 398 and please look at	
5	MR. DINNOCENZO: Objection.		5	question 21-D.	
6	Q	How long was she there?	6	MR. DINNOCENZO: No, here.	
7	A	Huh?	7	THE WITNESS: Oh.	
8	Q	How long was she there?	8	Q	I am going to read it into the
9	A	She was there about one hour.	9	record. The question asks, "Has any person	
10	Q	One hour?	10	proposed for insurance ever received	
11	A	Yes.	11	treatment, attention or advice from any	
12	Q	And in that one hour, what	12	physician, practitioner or health facility or	
13	happened?		13	been told by any physician, practitioner or	
14	A	She filled out and then she	14	health facility that he or she had ulcers,	
15	started telling me the tragedy of her friend.		15	colitis, hepatitis, cirrhosis or any other	
16	She has a friend's son. He passed away seven		16	diagnosis or disorder of the liver,	
17	years, at age seven years because of the		17	gallbladder, stomach or intestines." Do you	
18	asthma attack. We were both crying so we		18	see that question?	
19	spent a lot of time talking about kids.		19	A	Do you mean now?
20	Q	In the hour that she was there,	20	Q	Yes.
21	how long did it take to do the application?		21	A	Now I did, yes.
22	A	I really don't.	22	Q	What answer was checked to that
23	Q	Estimate.	23	question?	
24	A	About 20 minutes, maybe.	24	A	It was checked no.
25	Q	And do you remember her asking you	25	Q	Do you recall being asked this

1	LIN	54	1	LIN	56
2	question then?		2	MS. SHERER: You can volunteer, if	
3	A No, I did not.		3	it helps you to explain.	
4	Q You do not?		4	THE WITNESS: Oh, okay.	
5	A I do not. I did not or do not.		5	Q Are you aware that he took the	
6	Q As we sit here today, if you were		6	drug interferon for his hepatitis B? Have	
7	asked this question today, what would the		7	you ever heard that he took the drug	
8	answer be?		8	interferon for hepatitis B?	
9	A The answer would be yes.		9	A Yes.	
10	Q So you would agree that Mr. Lin		10	Q You knew that?	
11	did in fact receive treatment, attention or		11	A Yes.	
12	advice from a physician for hepatitis;		12	Q And you agree that the correct	
13	correct?		13	answer to this question should have been yes?	
14	A Could you be more specific;		14	A Yes.	
15	explain it.		15	Q Please take a look at question	
16	Q Would you agree today that Mr. Lin		16	22-A, -B and -C and I'll read them into the	
17	did receive treatment from a doctor for		17	record. The question asks, "Has any person	
18	hepatitis?		18	proposed for insurance in the past six months	
19	A Yes.		19	taken any medication or been under	
20	Q Would you agree that Mr. Lin was		20	observation or treatment; B, scheduled any	
21	told by a doctor that he had chronic		21	doctor's visits, medical care or surgery for	
22	hepatitis?		22	the next six months; C, during the past five	
23	A Could you -- chronic?		23	years had any checkup, health condition or	
24	Q Have you ever heard the term		24	hospitalization not revealed above." Do you	
25	chronic hepatitis?		25	see those questions?	

1	LIN	55	1	LIN	57
2	A No.		2	A Yes.	
3	MR. DINNOCENZO: You have to		3	Q What were the answers given for	
4	answer verbally.		4	those three questions?	
5	Q You have never heard that your		5	A No.	
6	husband was diagnosed with chronic hepatitis?		6	Q No was the answer given for all	
7	MR. DINNOCENZO: Answer the		7	three questions; correct?	
8	question.		8	A Correct.	
9	Q Have you ever heard that before?		9	Q But Mr. Lin had been seen by a	
10	A No.		10	doctor and had taken medication in the past	
11	Q But you seem like you want to say		11	six months preceding the application;	
12	something.		12	correct?	
13	A Yes. Can I?		13	A Could you repeat the question?	
14	Q Yes.		14	Q Sure, but Mr. Lin had in fact been	
15	A I only know that he is a carrier.		15	seen by a doctor and taken medication in the	
16	Q You know that he was a carrier for		16	six months preceding the application;	
17	hepatitis B?		17	correct?	
18	A Yes.		18	A Correct.	
19	Q But you don't recall that, being		19	Q And he had scheduled doctor's	
20	told that he had chronic hepatitis or		20	visits and medical care; correct?	
21	learning about that?		21	A Correct.	
22	A I never learned about that.		22	MR. DINNOCENZO: Objection.	
23	MR. DINNOCENZO: I want you to		23	Q What about the past five years;	
24	just answer her question and not		24	isn't it true that Mr. Lin was diagnosed with	
25	volunteer information.		25	a health condition not revealed above?	

1	LIN	58	1	LIN	60
2	A	I don't understand. Could you --	2	Q	Well, is there any health
3	Q	Let's look at question 22-C.	3		condition that is revealed at all in this
4	A	Okay.	4		application?
5	Q	It's asking during the past five	5	A	Sorry. I am totally lost.
6		years has the proposed insured had any health	6	Q	Let me ask it a different way. Is
7		condition not revealed above, and I guess I	7		there any medical condition that you told
8		am asking would you agree that he was	8		Judy about that your husband had for this
9		diagnosed with a health condition that was	9		application?
10		not revealed above?	10	A	You mean I told her any condition
11	A	What is above mean?	11		my husband has?
12	Q	Above in this question means the	12	Q	Yes.
13		second, before the 21 section that we looked	13	A	Are we during the past five, this
14		at a part of a moment ago, let me ask this	14		one here?
15		this way. Was there any health condition	15		MR. DINNOCENZO: Did you tell Judy
16		indicated on this application for your	16		that your husband had a health
17		husband?	17		condition, when she completed this
18	A	Could you repeat?	18		application with you?
19	Q	Sure. Could you take a look at	19		THE WITNESS: She didn't ask.
20		the whole application and tell me, was any	20	Q	Did you tell her?
21		health condition, pre-existing health	21	A	She didn't ask.
22		condition indicated anywhere on the	22		MR. DINNOCENZO: The question
23		application?	23		is --
24	A	Anywhere on this application.	24		MS. SHERER: That is not the
25	Q	Yes?	25		question.

1	LIN	59	1	LIN	61
2	A	Could you --	2		MR. DINNOCENZO: Did you tell her.
3	Q	Sure.	3	Q	Did you volunteer and tell her?
4	A	One more time, please.	4	A	No.
5	Q	This is pages 394 through 400,	5	Q	So --
6		part one of the application, and I would like	6	A	Is that what you are looking for?
7		to know was there any disclosed health	7	Q	Why, to your knowledge, why was
8		condition that you husband had?	8		wasn't it indicated in the application that
9	A	What does disclosed mean?	9		he had hepatitis B?
10	Q	It means was there any health	10	A	My knowledge?
11		condition that was written down here?	11	Q	Yes.
12	A	Oh. Can I go back to your	12	A	My personal knowledge.
13		question again, please?	13	Q	Yes.
14	Q	Sure. You want me to ask it	14	A	As regular people?
15		again?	15	Q	Yes.
16	A	Yes.	16	A	He is affected but I treated -- he
17	Q	During the past five years the	17		had and cured I was told.
18		question asks.	18	Q	As we sit here today, would you
19	A	Okay.	19		agree that Mr. Lin did take medication six
20	Q	We are going to page 398. "Has	20		months before the application was completed?
21		the insured had any health condition not	21	A	Could you -- you mean -- could you
22		revealed above," means that you haven't	22		repeat that?
23		already told us about.	23	Q	Sure. I am relating my questions
24	A	Haven't told you guys about	24		to 22-A, -B and -C.
25		besides this?	25	A	Uh huh.

1	LIN	62	1	LIN	64
2	Q	You testified earlier, question	2	A	No medication.
3	22-A asks within the past six months has the		3	Q	He did not take medication?
4	proposed insured taken any medication and the		4	A	Six months prior to the
5	answer given was no.		5	application date, no.	
6	A	The answer was no.	6	Q	We will get to the medical records
7	Q	As we sit here today, would you	7	later.	
8	agree that he had in fact taken medication		8	MR. DINNOCENZO: It's okay.	
9	six months, within the six months prior to		9	Q	The second one is 22-B and it asks
10	the application?		10	whether your husband had any scheduled	
11	A	No. Can I repeat what you are	11	doctors visits, medical care or surgery for	
12	asking?		12	the next six months.	
13	Q	Yes.	13	A	Next six months.
14	A	Or it would be better if you	14	Q	And the answer that was given was
15	could --		15	no; do you see that?	
16	MR. DINNOCENZO: Can we go off the		16	A	Yes.
17	record?		17	Q	As we sit here today, would you
18	MS. SHERER: Sure.		18	agree that he had in fact scheduled doctor's	
19	(At this time an off-the-record		19	appointments for the next six months?	
20	discussion took place.)		20	A	So you mean if he scheduled future
21	Q	Looking at question 22-A and it	21	appointments?	
22	asks whether your husband had taken		22	Q	Yes.
23	medication within six months before the		23	A	After this application, yes.
24	application date and the answer that was		24	Q	Within the six months after?
25	given was no. As we sit here today, would		25	A	After this application, yes, he

1	LIN	63	1	LIN	65
2	you agree that the answer should have been		2	did.	
3	yes?		3	Q	And then question 22-C asks,
4	A	So you are asking before the	4	"During the past five years, did your husband	
5	application was he under treatment.		5	have any checkup, health condition or	
6	Q	Yes.	6	hospitalization that you didn't already tell	
7	MR. DINNOCENZO: No. If he was		7	us about," and the answer to that question	
8	taking medication.		8	given was no; correct?	
9	MS. SHERER: Treatment I was		9	A	Correct.
10	thinking was medication.		10	Q	As we sit here today, would you
11	MR. DINNOCENZO: Put out your		11	agree that the answer to that question should	
12	question again, if you don't mind.		12	have been yes?	
13	Q	Right now I am just asking, the	13	MR. DINNOCENZO: I have a question	
14	question is in the past six months, was your		14	because is that contingent what her	
15	husband --		15	other answers to the questions were.	
16	A	Sorry.	16	MS. SHERER: No. I am just asking	
17	Q	No problem. Had he taken any	17	for that question and in and of itself.	
18	medication or been under observation or		18	MR. DINNOCENZO: How it was	
19	treatment, that is the question; medication,		19	answered then or how she would answer	
20	observation or treatment.		20	today.	
21	A	No treatment.	21	MS. SHERER: Today.	
22	Q	What about observation?	22	MR. DINNOCENZO: By not revealed	
23	A	Observation? We doing follow-up	23	above it is contingent on the answers	
24	visits.		24	given. There are answers given at the	
25	Q	And what about medication?	25	time of the application and answers	

1	LIN	66	1	LIN	68
2	given today. By virtue of her changing		2	Q Would you agree that Mr. Lin was	
3	some answers today, that would mean		3	diagnosed with hepatitis B after 1999?	
4	automatically that she would have to say		4	MR. DINNOCENZO: Objection.	
5	yes to that. It's confusing.		5	A He is cured. He is totally wiped	
6	Q Would you agree -- we will put the		6	out. He is healthy.	
7	question aside -- during the past five years		7	Q You mean he was healthy?	
8	before the application date that your husband		8	A He is healthy. After 1990, after	
9	had been treated for a medical condition?		9	the treatment he is perfectly healthy.	
10	A Past five years.		10	Q Let me get back to my question. I	
11	Q The five years before the		11	understood what you said. I don't think you	
12	application date.		12	answered my question. To your knowledge, was	
13	A He was not under any medication.		13	your husband ever diagnosed with hepatitis B	
14	Q He was not under medication the		14	after 1999?	
15	past five years?		15	MR. DINNOCENZO: Objection.	
16	A From the application date.		16	A From my understanding, he is	
17	Q Before the application date, the		17	healthy. He is --	
18	five years before?		18	Q You are still not answering the	
19	A 2004.		19	question.	
20	Q So we are talking about 1999		20	A He is cured.	
21	through 2004.		21	Q I guess we can handle this with	
22	A He was not under.		22	the medical records that we will go over	
23	Q Not under any medication or		23	later. I still want an answer.	
24	treatment?		24	A Okay.	
25	A No.		25	Q Do you know whether or not he was	

1	LIN	67	1	LIN	69
2	Q But you testified earlier that you		2	diagnosed with hepatitis B after 1999?	
3	were aware that he was taking interferon for		3	A No, I don't.	
4	hepatitis B?		4	Q You never heard that?	
5	A Yes.		5	A I don't know how to explain it. I	
6	Q When did he do that?		6	don't know. Could you give me a yes or no	
7	A 1997.		7	more --	
8	Q Only 1997?		8	Q Had you ever been told that your	
9	A Because it's not only one shot,		9	husband was diagnosed with hepatitis B after	
10	1997 through '98.		10	1999?	
11	Q And then he stopped taking		11	MR. DINNOCENZO: Objection.	
12	interferon; is that what you are saying?		12	A Diagnosed?	
13	A He stopped. What do you mean by		13	Q Diagnosed.	
14	stopped?		14	A What does that mean, diagnosed?	
15	Q He never took it again?		15	MR. DINNOCENZO: You have to tell	
16	A He stopped. He never took it		16	her, if you don't understand the	
17	again.		17	question, to be more specific.	
18	Q He stopped taking interferon in		18	Q Was your husband ever told that he	
19	1998?		19	was hepatitis B positive after 1999?	
20	A Yes.		20	A I don't know. I am not a medical	
21	Q Would you agree that Mr. Lin was		21	person.	
22	diagnosed with hepatitis B after 1999?		22	MR. DINNOCENZO: Objection.	
23	MR. DINNOCENZO: Objection.		23	Q You never heard that?	
24	THE WITNESS: Could you repeat the		24	A I don't know what that means.	
25	question?		25	Q I am not asking as a doctor, as	